

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ADAM SAMIA,

Defendant.

13-CR-521 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

The Court twice previously addressed letters received from Defendant Samia related to certain conditions at the Metropolitan Detention Center (“MDC”) in orders issued June 14, 2023, *see* Dkt. 851, and July 12, 2023, *see* Dkt. 852. Since that time, the Court has again received additional materials from Mr. Samia related to the conditions of his confinement. Because these materials contain “sensitive information” as defined by the Southern District’s ECF Privacy Policy, including medical information, the Court has not placed them on the public docket and has instead again forwarded them to Mr. Samia’s counsel for redaction and filing.¹

That said, there is no longer any reason Mr. Samia should remain confined at the MDC. Mr. Samia was specifically returned to the MDC in order to facilitate his representation before the Supreme Court, *see* Dkt. 840, and the Supreme Court issued its opinion affirming Mr. Samia’s conviction more than six weeks ago, on June 23, 2023, *see Samia v. United States*, No. 22-196. After the Supreme Court’s ruling, this Court asked Mr. Samia’s counsel “whether there [was] any reason that Mr. Samia should continue to remain at the MDC” on July 12, 2023. As of today’s date, it has

¹ The Court again reminds Mr. Samia and his counsel that, to the extent that he seeks to raise claims related to the conditions of his confinement, he must first exhaust them within the Bureau of Prisons. *See* 42 U.S.C. § 1997e(a); *see also Cruz v. Hastings*, 2022 WL 1050795, at *5 (S.D.N.Y. Jan. 31, 2022). This requirement encompasses any inmate action “about prison life, whether they involve general circumstances or particular episodes.” *Porter v. Nussle*, 534 U.S. 516, 524, 532 (2002). “Exhaustion is mandatory—unexhausted claims may not be pursued in federal court.” *Amador v. Andrews*, 655 F.3d 89, 96 (2d Cir. 2011).

not received a response. Accordingly, the Government is hereby directed to request that the Bureau of Prisons transfer Mr. Samia and designate an appropriate facility for him to serve his sentence. The Court is confident that the Bureau will thereafter transfer Mr. Samia from the MDC expeditiously. The Clerk of Court is respectfully directed to mail a copy of this order to Mr. Samia.

SO ORDERED.

Dated: August 9, 2023
New York, New York

A handwritten signature in blue ink, appearing to be 'RA', is written above a horizontal line.

Hon. Ronnie Abrams
United States District Judge